

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SEDRICK DEWAYNE ALTHEIMER,

Plaintiff,

v.

PIERCE COUNTY, WASHINGTON, and
PIERCE COUNTY SHERIFF EDWARD
TROYER, (a/k/a Ed Troyer), in his individual
and official capacity,

Defendants.

Case No. 2:21-cv-01437-RSM

**DECLARATION OF SUSAN B.
MINDENBERGS IN SUPPORT OF
PLAINTIFF'S MOTION TO
COMPEL DEFENDANT PIERCE
COUNTY, WASHINGTON'S
DISCOVERY RESPONSES**

Note on Motion Calendar: 09/15/2023

Susan B. Mindenbergs does hereby declare under penalty of perjury under the laws of the State of Washington that the following is true and correct, that I am over the age of eighteen (18) years and competent to testify to matters in this case, and that I do so from personal knowledge:

1. I represent Plaintiff Sedrick Dewayne Altheimer in the above-entitled action with my co-counsel, Vonda M. Sargent.

2. On May 9, 2023, Plaintiff's First Set of Interrogatories and Requests for Production of Documents were served on Defendant Pierce County, Washington.

1 3. Attached hereto as **Exhibit 1** is a true and correct copy of the extension request email
2 and attached letter I received from Defendant Pierce County's counsel on June 5, 2023.

3 4. Attached hereto as **Exhibit 2** is a true and correct copy of the email I received from
4 Defendant Pierce County's counsel dated June 29, 2023, containing Defendant Pierce County's
5 answers and responses to Plaintiff's First Discovery Requests.

6 5. Attached hereto as **Exhibit 3** is a true and correct copy of the letter dated July 14,
7 2023, that I transmitted to opposing counsel detailing Plaintiff's concerns with Defendant Pierce
8 County's answers and responses and requesting a discovery conference in accordance with LCR
9 37(a)(1).

10 6. On July 20, 2023, I certify that I engaged in a discovery conference with Defendant
11 Pierce County's counsel, Gregory E. Jackson, in an attempt to resolve the outstanding discovery
12 issues in accordance with LCR 37(a)(1).

13 7. Attached hereto as **Exhibit 4** is a true and correct copy of the letter dated July 20,
14 2023, that I transmitted to opposing counsel memorializing the discovery conference.

15 8. Attached hereto as **Exhibit 5** is a true and correct copy of the letter I received via
16 email from Pierce County's counsel dated July 25, 2023.

17 9. Attached hereto as **Exhibit 6** is a true and correct copy of the July 27, 2023, email I
18 transmitted in response to opposing counsel's letter dated July 25, 2023.

19 10. Attached hereto as **Exhibit 7** is a true and correct copy of the email I received from
20 Defendant Pierce County's counsel dated August 4, 2023, containing Defendant Pierce County's
21 supplemental answers and responses to Plaintiff's First Discovery Requests.

22 11. Upon my review of thousands of pages of Pierce County's supplemental production,
23 approximately 85% of the production were duplicates.

24 12. Attached hereto as **Exhibit 8** are true and correct copies of the email communications
25 between the parties' counsel dated August 23, 2023 and August 24, 2023, regarding Defendant
26 Pierce County's outstanding discovery responses.

13. Attached hereto as **Exhibit 9** is a true and correct copy of the January 27, 2021, Tacoma Police Department Incident Report, Incident No. 2102700104.1.

DATED this 31st day of August 2023, at Seattle, Washington.

By: /s/ Susan B. Mindenbergs
Susan B. Mindenbergs, WSBA #20545

CERTIFICATE OF SERVICE

I hereby certify that on August 31, 2023, the undersigned caused a true and correct copy of the foregoing document to be served in the manner indicated below upon the following individual(s):

Gregory E. Jackson, WSBA #17541
Jackson & Nicholson, P.S.
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Telephone: (206) 582-6001
Facsimile: (206) 466-6085
Email: Greg@jnseattle.com
Attorney for Defendant Pierce County, WA

☐ Legal Messenger
☐ USPS First Class Mail
☐ Facsimile
☐ Electronic Mail
☐ UPS Shipping
☒ CM/ECF

L. Clay Selby, WSBA #26049
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Attorneys for Defendant Edward C. Troyer

☐ Legal Messenger
☐ USPS First Class Mail
☐ Facsimile
☐ Electronic Mail
☐ UPS Shipping
☒ CM/ECF

The foregoing statement is made under the penalty of perjury under the laws of the State of Washington and is true and correct.

DATED this 31st day of August 2023.

By: /s/ Christine A. Tobin
Christine A. Tobin, *Paralegal*
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